

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Section 68.4(a) of the Commission's Rules)	WT Docket No. 01-
	309	
Governing Hearing Aid-Compatible Telephones)	RM-8658

**Supplement to Hearing Aid Compatibility Report
and Request for Extension of GSM-Based HAC Compliance Relief
and Submission of Current Report Information**

Farmers Cellular Telephone, Inc. ("Reporter"), a digital wireless service provider, pursuant to the Federal Communications Commission's ("Commission" or "FCC") *Order* in WT Docket No. 07-309, FCC 03-168, 29 CR 1299 (August 14, 2003), at the staff's request, hereby files a supplemental report concerning the availability of digital phones for the hearing impaired.^{1 2}

1) Does Reporter currently comply with Section 20.19(d)(2) of the Commission's Rules? **Response:** Yes.

2) On what date did Reporter first comply? **Response:** Reporter was fully compliant as of June 6, 2007.

¹ On July 7, 2004 the FCC published notice that it had obtained OMB approval to collect hearing aid compatibility reports from wireless carriers. 69 Fed. Reg. 40928 (Wednesday, July 7, 2004). Pursuant to the *Report and Order, Amendment of Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones*, 68 Fed. Reg. 54173 (September 16, 2003), reports are due every six months after rule effectiveness for the first three years and then annually for the next two years. The first reports were filed in November 2004.

² The staff clarified that the waiver request should not be withdrawn; we appreciate the staff comment and Reporter withdraws the withdrawal request.

3) For each interface for which waiver is sought, which 2 handsets were offered on the initial compliance date? Please provide the manufacturer name, model number, and FCC ID number of these two t-coil certified handsets. **Response:** Sony Ericsson--W712a--PY7AF042011; Sony Ericsson--Z712a--PY7AF042012. These handsets function on Reporter's 1900 MHz GSM PCS system and on Reporter's 800 MHz GSM cellular system, but they do not function on Reporter's TDMA 850 MHz system. To Reporter's knowledge, there are no HAC compliant TDMA handsets being manufactured and it is Reporter's further understanding that no HAC compliant handsets have ever been manufactured. Accordingly, it has been impossible for Reporter to obtain any HAC compliant TDMA handsets.

4) Additional information in support of the waiver request: Reporter is a TDMA/GSM carrier. Reporter is a small wireless carrier with 9966 wireless customers (8766 GSM, 1091 TDMA, and 109 Analog). As a small carrier Reporter must wait until a "generic" version of a handset is made available to it through a vendor; Reporter is too small to order directly from the manufacturers. Typically handsets are made available to the larger carriers (i.e., Verizon, Sprint, etc.) several months prior to becoming available to Reporter. Reporter no longer actively markets TDMA handsets, and has not offered them for at least two years, because GSM is a more efficient transmission technology and the GSM rate plans provide more minutes at a lower cost to the customers compared to TDMA plans. Reporter's 800 MHz GSM system is a complete overbuild of its 800 MHz TDMA system and the GSM overlay buildout was completed in November 2004. Even though Reporter is a small carrier, it utilizes three transmission technologies: Analog, TDMA, and GSM as well as two types of FCC

transmission licenses: 800 MHz cellular and 1900 MHz PCS. In total Reporter has over 37 transmission sites for its combined PCS/Cellular operation in a market area where competitors have fewer sites with substantially less coverage and in some areas Reporter is the only provider of two-way mobile services. Since 2002 Reporter's focus has been on expanding its cellular/PCS GSM networks because TDMA networks are widely recognized as an inefficient; Reporter does not believe that any party is devoting substantial resources to TDMA technology. Even though Reporter is a small carrier, it has invested significant resources to construct and operate superior mobile telecommunications facilities.

5) Reporter's November 2005 *Hearing Aid Compatibility Report* contains Reporter's election for the relief offered to 800 MHz GSM carriers in the Commission's September 8, 2005, *Memorandum Opinion and Order*, FCC 05-166, and Reporter's acoustic coupling/U rating HAC compliance deadline was extended to August 1, 2006, for its 800 MHz GSM system.³ Reporter's next report filed in May 2006, reported that 800 MHz GSM HAC compliant phones were still not available to Reporter and Reporter requested a one year extension of the August 1, 2006 HAC compliance (acoustic coupling/U) deadline, extended to August 1, 2007, because Reporter could not foresee that any HAC compliant handsets would be available for its 800 MHz GSM system. Reporter's September 2006 *Hearing Aid Compatibility Report* informed the Commission that progress had been made regarding acoustic coupling HAC compliance on the 800 MHz GSM system and that one acoustic coupling/U compliant handset was being offered for use on the 800 MHz GSM system. However, as of September 18,

³ The November 2005 Report indicated that Reporter had achieved acoustic

2006, a new inductive coupling/T HAC compliance requirement became effective and Reporter requested a waiver for both its 1900 MHz system and its 800 MHz system because Reporter was unable to obtain T-coil compliant handsets from its vendors. At the staff's request Reporter filed supplements to the September 2006 *Report* in February 2007 and March 2007. The March 2007 *Report* indicated that Reporter continued to offer at least two acoustic coupling/U compliant handsets on its 1900 MHz system and that it was also offering one inductive coupling/T compliant handset on its 1900 MHz system and its 850 MHz GSM system.

coupling HAC compliance for its 1900 MHz system.

6) From the time of the filing of the initial HAC extension request in May 2006 through March 2007 Reporter would check at least monthly, usually weekly or every other week, with its handset vendors regarding the availability of HAC compliant handsets. At the March 2007 CTIA convention in Orlando, Florida, Reporter learned about the existence of the two models of Sony Ericsson handsets referenced above from a Sony representative. However, Reporter was unable to purchase those handsets at that time because they were not yet being made available to small carriers.⁴

7) From March 2007 through May 2007 Reporter continued to check with its vendors for the availability of HAC compliant phones, particularly seeking the availability of the two Sony Ericsson models referenced above. In late May 2007 Reporter's research uncovered a vendor for Sony Ericsson handsets about which Reporter had previously been unaware. On May 31, 2007 learned that generic builds of the two Sony Ericsson models had been made available to small carriers and Reporter immediately placed orders for the handsets. The handsets have been received by Reporter and have been placed in Reporter's handset equipment line as of June 6, 2007. It is respectfully submitted that Reporter has been diligent regarding obtaining HAC compliant handsets and that a waiver *nunc pro tunc* is warranted.

June 12, 2007

Respectfully Submitted,
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⁴ Reporter has never received a request for a HAC compliant handset from a current, former, or prospective subscriber.